

Message Text

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ORIGIN EB-07

INFO OCT-01 EUR-12 ISO-00 OES-05 COME-00 L-02 OFA-01 IO-10

SMI-01 CEQ-01 EPA-04 INT-05 /049 R

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APPROVED BY EB/OT/STA:WCLARK,JR.

EUR/CAN:DCHOLTON

OES/ENP/EN:GJBURKE

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R 030018Z MAY 75

FM SECSTATE WASHDC

TO AMEMBASSY OTTAWA

UNCLAS STATE 103630

E.O. 11652: N/A

TAGS: ETRD, SENV, TBIO, CA

SUBJECT: SEIZED WHALEBONE CARVINGS

REF: OTTAWA A-206

1. AS ANTICIPATED IN OTTAWA'S A-206, DEPARTMENT RECEIVED AIDE-MEMOIRE DATED MARCH 24 FROM CANADIAN EMBASSY REQUESTING RETURN TO EXPORTERS OF SEIZED WHALEBONE CARVINGS AND CLARIFICATION OF CERTIFICATION REQUIREMENTS UNDER 1973 ENDANGERED SPECIES ACT COVERING FUTURE SHIPMENTS OF "FOSSILIZED" WHALEBONE OBJECTS. AIDE-MEMOIRE MAKES POINT THAT CANADIAN EXPORTERS HAD ASSUMED THAT AGREED CERTIFICATION PROCEDURES COVERING IMPORTS OF FOSSILIZED WHALEBONE PRODUCTS UNDER 1969 ENDANGERED SPECIES ACT WOULD APPLY EQUALLY TO 1973 ENDANGERED SPECIES ACT.

2. STATE AND NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION (NOAA) ARE EXPLORING POSSIBILITY OF RETURNING CARVINGS TO EXPORTERS AS REQUESTED BY GOC. ALSO, NOAA CURRENTLY WRITING NEW REGULATIONS WHICH WILL PROVIDE PRECISE UNCLASSIFIED

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DEFINITION OF "FOSSILIZED" BONES OF ENDANGERED SPECIES AND

SPELL OUT CERTIFICATION PROCEDURES FOR ANY OBJECTS WHICH MIGHT BE EXEMPTED FROM PROVISIONS OF 1973 ACT.

3. NOAA CONFIRMS THAT EXEMPTIONS FOR FOSSILIZED WHALEBONES AND CERTIFICATION PROCEDURES UNDER 1969 ACT NO LONGER APPLICABLE. UNTIL NEW REGULATIONS ON POSSIBLE EXEMPTIONS BECOME EFFECTIVE, NOAA CONSIDERS THAT PROVISIONS OF 1973 ACT PROHIBIT ALL IMPORTATION OF PARTS OR PRODUCTS OF ENDANGERED SPECIES REGARDLESS OF AGE OR CONDITION. THEREFORE, NATIONAL MARINE FISHERIES SERVICE WILL BE OBLIGED TO SEIZE ALL IMPORTS OF FOSSILIZED WHALEBONES, PENDING PROMULGATION OF ANY NEW REGULATIONS.

4. DEPARTMENT RESPONDING TO GOC AIDE-MEMO-RE ALONG LINES OF PARAS 2 AND 3, WITH A REQUEST THAT EXPORTERS BE ADVISED THAT NO FURTHER SHIPMENTS SHOULD BE MADE UNTIL NEW REGULATIONS ISSUED.

5. EMBASSY MAY ALSO WISH TO ADVISE APPROPRIATE GOC AUTHORITIES OF SUBSTANCE OF PARAS. 2 AND 3, STRESSING THAT GOC WILL BE ADVISED PROMPTLY OF NEW REGULATIONS GOVERNING IMPORTS OF ENDANGERED SPECIES INCLUDING PRODUCTS OF FOSSILIZED WHALEBONES AS WELL AS FINAL DETERMINATION REGARDING RETURN OF SEIZED CARVINGS.

6. COPIES OF EXCHANGE OF AIDE-MEMOIRES BEING POUCHPD. KISSINGER

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Message Attributes

Automatic Decaptioning: X
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: WHALES, TRADE, EXPORTS, SPECIES PROTECTION, ARTS, CUSTOMS OFFICIALS
Control Number: n/a
Copy: SINGLE
Draft Date: 03 MAY 1975
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: n/a
Disposition Approved on Date:
Disposition Authority: n/a
Disposition Case Number: n/a
Disposition Comment:
Disposition Date: 01 JAN 1960
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1975STATE103630
Document Source: CORE
Document Unique ID: 00
Drafter: BBISHOP:JH
Enclosure: n/a
Executive Order: N/A
Errors: N/A
Film Number: D750156-0042
From: STATE
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1975/newtext/t19750583/aaaacxqx.tel
Line Count: 87
Locator: TEXT ON-LINE, ON MICROFILM
Office: ORIGIN EB
Original Classification: UNCLASSIFIED
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 2
Previous Channel Indicators: n/a
Previous Classification: n/a
Previous Handling Restrictions: n/a
Reference: 75 OTTAWA A-206
Review Action: RELEASED, APPROVED
Review Authority: ShawDG
Review Comment: n/a
Review Content Flags:
Review Date: 15 JUL 2003
Review Event:
Review Exemptions: n/a
Review History: RELEASED <15 JUL 2003 by BalzMJ>; APPROVED <03 MAR 2004 by ShawDG>
Review Markings:

Margaret P. Grafeld
Declassified/Released
US Department of State
EO Systematic Review
05 JUL 2006

Review Media Identifier:
Review Referrals: n/a
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: NATIVE
Subject: SEIZED WHALEBONE CARVINGS
TAGS: ETRD, SENV, TBIO, CA
To: OTTAWA
Type: TE
Markings: Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 05 JUL 2006